

State of Alaska FY2003 Governor's Operating Budget

**Department of Administration
Alaska Public Offices Commission
BRU/Component Budget Summary**

BRU/Component: Alaska Public Offices Commission

(There is only one component in this BRU. To reduce duplicate information, we did not print a separate BRU section.)

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Component Mission

To ensure the accountability to the public of candidates, lobbyists and their employers, and public officials in accordance with the Alaska Statutes.

(Differs from CH90, SLA2001).

Component Services Provided

- Administer laws upholding the public's right to know the financial affairs of lobbyists and their employers, public officials, political groups and candidates for state and municipal public office.
- Process and maintain public access to reports required by law, informally interpret the laws to assist persons in complying, compare and examine reports for possible violations of the laws, and enforce the laws through civil penalty assessments and complaint investigation.
- Adopt regulations, issue formal opinions, recommend legislative changes, adjudicate requests to reduce civil penalties for noncompliance with reporting requirements, recommend removal from the ballot for office in accordance with law, and adjudicate complaints through approval of settlements, civil penalty assessments, and through public hearings.

Component Goals and Strategies

PROMOTE FAIRNESS AND OPENNESS IN ELECTIONS AND MINIMIZE THE EFFECT OF UNDISCLOSED INFLUENCES ON PUBLIC DECISION-MAKING

- Inform the electorate by providing disclosed information.
- Ensure that disclosed information is accurate and complete.
- Facilitate citizen participation in government.
- Investigate and adjudicate complaints of reporting and conduct violations.

Key Component Issues for FY2002 – 2003

- The 2002 state elections will be extremely active because it is a gubernatorial election year following reapportionment. The redistricting plan results in elections for sixteen senate seats instead of the usual ten. The volume of campaign disclosure reports, particularly in the primary election cycle will present a challenge to the Commission's goal to publish the information provided in the disclosure reports to the interactive on-line database within three days of receipt of the reports.
New administrative regulations implementing the campaign disclosure and public official financial disclosure laws took effect in January 2000. The Commission has published and distributed the new regulations and will be providing training for both new and experienced candidates participating in the 2002 state elections.
- A full time administrator and one part time clerk staff the Juneau office of the APOC. The Juneau office staff administers and interprets the lobbying statute and regulations, providing advice to filers and answering questions of the public and press; the office serves as the repository for lobbying activity records. Lobbying activity has grown from \$6 million in 1978 to \$12+million this year. The office also serves as the APOC presence in Juneau and Southeast Alaska, answering questions for filers and the public about campaign disclosure and public official financial disclosure, and providing forms and copies of completed reports. The administrator tracks legislation during the legislative session acting as liaison with the main office in Anchorage, and testifies on behalf of the Commission on issues and legislation affecting the agency. As a result of this increased workload and competing demands, the Juneau office is often closed during regular business hours, especially during session. Filers and the public are unable to get answers to questions, have reports validated, or review filed reports when the office is closed. Automation of the registration and reporting requirements under the lobbying law would result in a reduction of the massive paper-handling tasks for the Juneau office and free staff time to provide better public services.

- Over the last ten years, APOC has made progress in using technology to more efficiently administer the laws under its jurisdiction. Continuing this project is of primary importance. As a public information agency, technology is essential in order to provide the information disclosed under the laws to the public in a timely manner. As a result, the agency has many records in paper form and many in electronic form. Managing these records, because of their volume, type of storage, and format, has become a complicated and time consuming task affecting the agency's ability to provide information to the public. Over the next several years, the agency will have to evaluate and revise its current management system to assimilate all records in order to insure efficient and accurate internal record keeping and timely service to the public.

Major Component Accomplishments in 2001

- Successfully implemented new administrative regulations for the campaign disclosure and public official financial disclosure laws. Printed, published and distributed the new regulations to all interested parties and published them on the Commission's web pages.
- 2000 state election detail information was published on APOC's web page. Detail information for 2001 municipal elections was published within three days of candidate and group report filings.
- The number of APOC web page visitors in 2001 was over 14,000, which is remarkable in a non-state election year. The APOC web pages contain all reporting forms and manuals, statutes and regulations, advisory opinions, and meeting agendas. Computers are available for use by the public in the Anchorage and Juneau offices.
- Upon request, over 20 individual and group campaign disclosure training seminars were conducted either in the Commission's Anchorage office, or at a site provided by the requestor. A training seminar for public official financial disclosure was offered to municipal clerks in connection with the Alaska Municipal League's annual meeting.
- Issued seven advisory opinions, adjudicated eight of eleven pending complaints, and resolved five substantial non-compliance issues.
- Reviewed thousands of campaign disclosure, personal financial disclosure, and lobbying reports.

Statutory and Regulatory Authority

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|---|---|
| AS 15.13 | Campaign Disclosure Law |
| 2 AAC 50.250-405 | Administrative Regulations for Campaign Disclosure |
| Requires candidates and groups to make public all contribution and expenditure activity; contributors who give more than \$100 must be listed by name, address, occupation and employer. The law limits contributions, prescribes campaign periods, and prohibits certain activities. | |
| | |
| AS 24.50 | Regulation of Lobbying Law |
| 2 AAC 59,505 – 545 | Administrative Regulations for Lobbying |
| Requires individuals who receive compensation for attempting to influence the actions of state legislative or executive officials to register and file reports disclosing their compensation and expenditures in connection with lobbying. Those who pay individuals to attempt to influence officials action must also disclose all expenditures connected with lobbying activities. | |
| | |
| AS 24.60.200-260 | Legislative Financial Disclosure Law |
| 2 AAC 50.705-890 | Administrative Regulations for Legislative Financial Disclosure Law |
| Requires legislators and legislative directors to make public their sources of income and indebtedness thereby assuring the public that their decision making is free from the influence of undisclosed influences. | |
| | |
| AS 39.50 | Public Official Financial Disclosure Law |
| 2 ACC 50.010-200 | Administrative Regulations for Public Official Financial Disclosure Law |
| Requires public officials to make public their sources of income and indebtedness thereby assuring the public that their decision making is free from the influence of undisclosed influences. | |
| | |
| 2 AAC 50.905-920 | Administrative Regulations Implementing Advisory Opinions |
| 2 AAC 50.450-470 | Administrative Regulation Implementing Complaints & Investigations |
| | |
| Article II, Sec 12 | Alaska State Constitution-Lobbying |

Key Performance Measures for FY2003

Measure:

The average length of time taken for complaint resolution.
Sec 19 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

For the period July 1, 2001 through September 30, 2001 no complaints were received or adjudicated.

Benchmark Comparisons:

We currently have no benchmark data for this performance measure.

Background and Strategies:

The average length of time taken for complaint resolution depends on a multitude of factors. The complexity of a complaint and due process of law (including legislator's legislative immunity - no civil process during sessions) for example. Therefore, a simple complaint to which a legislator is not a party may be resolved quite quickly, where a complex complaint to which several legislators are parties may take a significant period of time. With only one staff member to investigate the substantial complaints under the campaign disclosure law, sometimes delays are inevitable.

Measure:

The rate of compliance by candidates and public officials.
Sec 19 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

For the period July 1, 2001 through September 30, 2001 the rate of compliance by candidates was 99%; the rate of compliance by public officials was 98%. Eventually though, everyone files. Late filers either pay a penalty or successfully mitigate their penalties through the commission.

Benchmark Comparisons:

We currently have no benchmark information for this performance measure.

Measure:

The average length of time taken to disseminate reports.
Sec 19 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

The amount of time it takes to disseminate reports is qualitative and depends on the format. If a person wants a paper copy, it's available immediately upon receipt. A small percentage of campaign disclosure reports are currently filed electronically, but the data from all reports filed on paper must be entered into the database before summary information can be published on the web. Detail information takes a little longer. There is no automation in the lobbying law, and thus, summaries are only published twice a year. However, APOC staff makes its best effort to maintain all directories, lobbyists, candidates, groups, etc.

Benchmark Comparisons:

We currently have no benchmark data for this performance measure.

Background and Strategies:

The Alaska Public Offices Commission will continue to make reports available as quickly as possible.

Alaska Public Offices Commission

Component Financial Summary

All dollars in thousands

	FY2001 Actuals	FY2002 Authorized	FY2003 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	606.1	627.3	665.3
72000 Travel	12.7	10.9	10.9
73000 Contractual	47.0	105.7	105.7
74000 Supplies	35.6	8.7	8.7
75000 Equipment	35.8	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	737.2	752.6	790.6
Funding Sources:			
1004 General Fund Receipts	686.8	698.7	745.7
1005 General Fund/Program Receipts	45.1	53.9	44.9
1053 Investment Loss Trust Fund	5.3	0.0	0.0
Funding Totals	737.2	752.6	790.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2001 Actuals	FY2002 Authorized	FY2002 Cash Estimate	FY2003 Governor	FY2004 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	30.9	0.0	0.0	0.0	0.0
Unrestricted Total		30.9	0.0	0.0	0.0	0.0
Restricted Revenues						
General Fund Program Receipts	51060	45.1	53.9	44.9	44.9	43.5
Investment Loss Trust Fund	51393	5.3	0.0	0.0	0.0	0.0
Restricted Total		50.4	53.9	44.9	44.9	43.5
Total Estimated Revenues		81.3	53.9	44.9	44.9	43.5

Alaska Public Offices Commission

Proposed Changes in Levels of Service for FY2003

Technology is essential in order for APOC to meet its mission. We need to expand electronic filing of disclosure reports to the Public Official Financial Disclosure (POFD, formerly COI), Legislative Financial Disclosure (LFD) and Lobbying laws. Replace existing, antiquated financial disclosure databases and create an interactive lobbying database. Develop a web enabled filing system for the four disclosure laws (Campaign Disclosure, Public Official Financial Disclosure, Legislative Financial Disclosure and Regulation of Lobbying) and create web-enabled public access to the disclosed information 24 hours per day. The overall benefit is an easier, quicker process for filers with fewer opportunities for error, a more streamlined efficient processing mechanism for staff, and faster, more convenient access to the disclosed information for the public.

Summary of Component Budget Changes

From FY2002 Authorized to FY2003 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2002 Authorized	752.6	0.0	0.0	752.6
Adjustments which will continue current level of service:				
-Year 3 Labor Costs - Net Change from FY2002	18.0	0.0	0.0	18.0
Proposed budget increases:				
-Full-time Staff of the Juneau APOC Office	20.0	0.0	0.0	20.0
FY2003 Governor	790.6	0.0	0.0	790.6

Alaska Public Offices Commission

Personal Services Information

Authorized Positions		Personal Services Costs		
	<u>FY2002</u>	<u>FY2003</u>		
	<u>Authorized</u>	<u>Governor</u>		
Full-time	10	11	Annual Salaries	501,189
Part-time	1	0	COLA	18,040
Nonpermanent	0	1	Premium Pay	0
			Annual Benefits	191,104
			Less 6.34% Vacancy Factor	(45,033)
			Lump Sum Premium Pay	0
Totals	11	12	Total Personal Services	665,300

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	0	0	1
Administrative Clerk II	1	0	1	0	2
Administrative Clerk III	1	0	0	0	1
Asst Dir APOC	1	0	0	0	1
Exec Dir APOC	1	0	0	0	1
Investigator III	1	0	0	0	1
Paralegal Asst II	3	0	0	0	3
Project Coord	0	0	1	0	1
Secretary	1	0	0	0	1
Totals	10	0	2	0	12